

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Mike SOUMOKIL et al.	)	Group Art Unit: 2166
	)	
Application No.: 10/770,423	)	Examiner: Usmaan SAEED
	)	
Filed: February 4, 2004	)	Confirmation No.: 1939
	)	
For: ELECTRONIC DATA RECORD OF	)	
AN INVOICE, THE RECORD	)	
HAVING A DUNNING KEY	)	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY BRIEF UNDER 37 C.F.R. § 41.41**

Pursuant to 37 C.F.R. § 41.41 and in reply to the Examiner's Answer mailed May 24, 2010, the period for response extending through July 24, 2010, Appellants submit this Reply Brief to address remarks made in the "Response to Argument" section of the Examiner's Answer.

In the Examiner's Answer, the Examiner maintained the rejection of claims 1, 6, 8, 10, 12-14, 16, 18-20, 22, 24, 25, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0004874 to Ludwig et al. ("*Ludwig*") in view of U.S. Publication No. 2002/0032692 to Suzuki et al. ("*Suzuki*").

The claims include, for example, four tables, namely, a description table, an instruction table, an event table, and a proposal table. Each of the tables stores

identifications of possible states of processing of invoice. The description table, in addition to storing the possible states of processing of invoice, stores descriptions of the possible states in correspondence with the identifications of the possible states. The instruction table, in addition to storing the possible states of processing of invoice, stores instructions automatically executed by a computer in correspondence with the identifications of the possible states. The event table, in addition to storing the possible states of processing of invoice, stores events which can occur during the processing of invoice in correspondence with the identifications of the possible states. The proposal table, in addition to storing the possible states of processing of invoice, stores proposed actions for changing the states in correspondence with the identifications of the possible states.

An electronic data record of an invoice comprises a state data field including a current state of the processing of the invoice. The state data field also includes four links to the four tables, described above.

The combination of *Ludwig* and *Suzuki* fails to teach or render obvious Appellants' claims for the reasons set forth in the Appeal Brief filed February 25, 2010, as well as the reasons set forth below.

**A. Prior Art Fails to Teach or Suggest the Instruction Table**

Independent claim 1 recites, among other things, "an instruction table comprising the identifications of the plurality of possible states and corresponding instructions automatically executed by a computer."

The Examiner alleges that *Suzuki*, Fig. 2, refs. 142, 143, 200, 201, 202, 203, 210, and 211, disclose the above-quoted elements of claim 1. Examiner's Answer, at 18. This is incorrect.

Specifically, the Examiner alleges that "table 210 . . . contain[s] plurality of possible states," and the "Examiner interprets the process programs 201, 202, and 203 as being instructions automatically executed by a computer." Examiner's Answer, at 18. However, even assuming that the state definition table 210 of *Suzuki* stores possible states, and that the state transition request synchronous process program 201, the state transition request asynchronous process program 202, and the state transition process program 203 of *Suzuki* could constitute instructions, which Appellants do not concede, the alleged possible states and the alleged instructions in *Suzuki* still are not stored in the same table in correspondence with which other.

For at least these reasons, *Suzuki* fails to teach or suggest "an instruction table comprising the identifications of the plurality of possible states and corresponding instructions automatically executed by a computer," as recited in claim 1.

**B. Prior Art Fails to Teach or Suggest the Event Table**

Independent claim 1 further recites "a state data field . . . including . . . a third link to an event table comprising the identifications of the plurality of possible states and corresponding events which can occur during the processing of the invoice."

The Examiner alleges that "Ludwig teaches . . . the system may link the status field to the invoice history page, at which the system may display a full status history for the selected invoice." Examiner's Answer, at 15.

If the Examiner is alleging that the full status history in the invoice history page of *Ludwig* corresponds to the claimed “events which can occur during the processing of the invoice,” then *Ludwig* fails to teach or suggest that the full status history is stored in correspondence with “identifications of the plurality of possible states” in the invoice history page.

Alternatively, if the Examiner is alleging that the full status history in the invoice history page of *Ludwig* corresponds to the claimed “identifications of the plurality of possible states,” then *Ludwig* fails to teach or suggest that the full status history is stored in correspondence with “events which can occur during the processing of the invoice” in the invoice history page.

Irrespective of which of the above two allegations the Examiner is making, the invoice history page of *Ludwig* stores only the invoice status history by itself rather than in correspondence with any “possible states” or “events.”

The Examiner further alleges that *Ludwig* discloses “events such as invoice adjusted, payment authorized, payment canceled, [etc.]” Examiner’s Answer, at 16. Even if *Ludwig* discloses “the identifications of the plurality of possible states” and “events which can occur during the processing of the invoice,” which Appellants do not concede, *Ludwig* fails to teach or suggest that the two are stored in the same table in correspondence with each other.

For at least the foregoing reasons, *Ludwig* fails to teach or suggest “a state data field . . . including . . . a third link to an event table comprising the identifications of the

plurality of possible states and corresponding events which can occur during the processing of the invoice,” as recited in claim 1.

**C. Prior Art Fails to Teach or Suggest Identifications of Possible States Included in the Four Tables**

Independent claim 1 further recites “a description table comprising identifications of a plurality of possible states of the invoice[,] . . . an instructions table comprising the identifications of the plurality of possible states of the invoice[,] . . . an event table comprising the identifications of the plurality of possible states of the invoice [,] . . . and . . . a proposal table comprising the identifications of the plurality of possible states of the invoice.”

Therefore, each of the four tables “compris[es] the identifications of the plurality of possible states.” In addition, each of the four tables stores additional information in correspondence with the identifications of the possible states. Specifically, the description table stores descriptions of the possible states in correspondence with the identifications of the possible states. The instruction table stores instructions automatically executed by a computer in correspondence with the identifications of the possible states. The event table stores events which can occur during the processing of invoice in correspondence with the identifications of the possible states. The proposal table stores proposed actions for changing the states in correspondence with the identifications of the possible states.

The Examiner alleges that “Ludwig show[s] possible states . . . being stored in the tables of database 36.” Examiner’s Answer, at 19. The Examiner also alleges that

“Suzuki teaches . . . state definition table 210, transition definition table 211, and process instance state table 214[] . . . all [of which] . . . include plurality of possible states.” Examiner’s Answer, at 20.

Even if the tables in database 36 of *Ludwig* and tables 210, 211, and 214 of *Suzuki* store possible states, which Appellants do not concede, these tables of *Ludwig* and *Suzuki* do not store, for example, “instructions automatically executed by a computer,” “events which can occur during the processing of the invoice,” and “proposed actions for changing the corresponding states” in correspondence with the possible states. Moreover, even if *Ludwig* and *Suzuki* discloses the claimed “instructions,” “events,” and “proposed actions,” which they do not, *Ludwig* and *Suzuki* do not disclose that the “instructions,” “events,” and “proposed actions” are each stored in correspondence with the “possible states” in the same table. On the contrary, all the disclosures of *Ludwig* and *Suzuki* the Examiner cited as allegedly constituting the claimed “instructions,” “events,” and “proposed actions” were stored in distinct and separate tables from the “possible states.”

For at least the foregoing reasons, *Ludwig* and *Suzuki* fail to teach or suggest the claimed “description table,” “instruction table,” “event table,” and “proposal table.”

**D. Prior Art Fails to Teach or Suggest the State Data Field Including Four Links to Four Tables**

Independent claim 1 further recites “a state data field . . . including . . . an identification of a current state[,] . . . a first link to a description table[,] . . . a second link to an instruction table[,] . . . a third link to an event table[,] . . . and a fourth link to a

proposal table.” As claimed, the state data field includes, in addition to the identification of the current state, four links to four tables.

The Examiner alleges that “Ludwig teaches . . . the system may link the invoice number field to the invoice detail page. The system may link the status field to the invoice history page.” Examiner’s Answer, at 20 (emphases added). However, in *Ludwig*, the invoice detail page and the invoice history page are linked to two different fields, namely, the invoice number field and the status field. On the contrary, as claimed, the four links link the four tables to the same field, namely, the state data field. Therefore, *Ludwig* fails to disclose or suggest, for example, any one field including four links to four tables.

The Examiner next alleges that “Suzuki’s figure 2 shows the current state being linked/referenced to the tables 210, 211 and 213.” Examiner’s Answer, at 21. However, Fig. 2 of *Suzuki* and other portions of *Suzuki* describing Fig. 2 are completely silent with respect to any “current state.” Therefore, Fig. 2 of *Suzuki* cannot show the current state being linked to the tables 210, 211, and 213. Moreover, regardless of whether a current state is stored in the tables 210, 211, and 213 of *Suzuki*, which Appellants do not concede, *Suzuki* fails to disclose or suggest any one “state data field” including links to each of the tables 210, 211, and 213.

For at least the foregoing reasons, *Ludwig* and *Suzuki* fail to teach or suggest “a state data field . . . including . . . an identification of a current state[,] . . . a first link to a description table[,] . . . a second link to an instruction table[,] . . . a third link to an event table[,] . . . and a fourth link to a proposal table,” as recited in claim 1.

**E. Descriptive Material**

The Examiner alleges that “the four tables only include data which is nonfunctional descriptive material.” Examiner’s Answer, at 19. This is incorrect.

The M.P.E.P. states that “‘functional descriptive material’ consists of data structures . . . which impart functionality when employed as a computer component.” M.P.E.P. § 2106.01. Appellants’ claims recite, for example, “an instruction table compris[es] . . . instructions automatically executed by a computer . . . [and] a workflow automatically initiated by the computer.” (Emphases added.) For at least these reasons, the four tables impart functionality when initiated or executed by a computer. Therefore, the four tables include functional descriptive material.

The M.P.E.P. further states that “[w]hen functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.” M.P.E.P. § 2106.01 (internal citation omitted). As claimed, the four tables, which include functional descriptive material, are stored in a computer-readable storage medium. Therefore, the use of technology permits their function to be realized. For at least these reasons, the claims are directed to statutory subject matter.

**F. Conclusion**

For at least these reasons given above and the reasons provided in the Appeal Brief, independent claim 1 is allowable over *Ludwig* and *Suzuki*. Also, independent claims 8, 14, and 20, although different in scope from claim 1, are allowable for at least

similar reasons as claim 1. Dependent claims 6, 10, 12, 13, 16, 18, 19, 22, 24, 25, 28, and 29 are allowable at least due to their dependence from an allowable independent claim. Accordingly, Appellants respectfully request that the Board reverse the rejection of claims 1, 6, 8, 10, 12-14, 16, 18-20, 22, 24, 25, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Ludwig* in view of *Suzuki*.


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Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: June 15, 2010

By: \_\_\_\_\_

  
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